

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

Master File No. C-02-1486 CW

This Document Relates To: All Actions

**[PROPOSED] ORDER GRANTING
LEAD PLAINTIFF'S REQUEST TO
LODGE UNDER SEAL DOCUMENTS
DESIGNATED CONFIDENTIAL**

Date: August 8, 2006
Time: 9:00 a.m.
Ct rm: E, 15th Floor
Before: Hon. Elizabeth D. Laporte

1 Lead Plaintiff, the Connecticut Retirement Plans and Trust Funds (“CRP”), has moved the
2 Court to issue letters rogatory to the Superior Court of the Province of Ontario, Canada, compelling
3 Maruice Tavares, Gordon Buchan, and Mario Leduc to provide testimony and documents. In support
4 of that motion, CRP has filed a request pursuant to Civil Local Rule 79-5(d) to file and reference in
5 its papers certain documents designated as “Confidential” by the JDSU Defendants under the Court’s
6 Order Regarding Confidentiality, filed September 21, 2005. Pursuant to Rule 79-5(d), CRP lodged
7 with the Court both redacted and un-redacted versions of its Memorandum of Points and Authorities
8 in Support of Lead Plaintiff’s Motion for Letters Rogatory (“Memorandum”) and the Declaration of
9 Anthony Harwood in Support of Lead Plaintiff’s Application for Letters Rogatory (and attached
10 exhibits) (“Harwood Declaration”).

11 ~~The matter came on for hearing on August 8, 2006.~~ Based on the Declaration of Terri
12 Garland in Support of Lead Plaintiff’s Request Pursuant to Civil L.R. 79-5(d) to Lodge Under Seal
13 Documents Designated Confidential, the Court hereby orders that:

14 (1) the un-redacted versions of CRP’s Memorandum and the Harwood Declaration lodged
15 with the Court shall be filed under seal;

16 (2) the redacted versions of CRP’s Memorandum and the Harwood Declaration lodged
17 with the Court shall not be filed;

18 (3) Lead Plaintiff shall lodge with the Court versions of CRP’s Memorandum and the
19 Harwood Declaration that have had the following material redacted:

20 (a) Exhibits 2, 11, 12, 14, 27, 28, and 31, and any information contained in those
21 documents;


22 (b) the pages labeled JDSU 1130279–1130284 in Exhibit 13, and any information
23 contained in those pages; and

24 (c) all part numbers from the pages labeled JDSU 0340976–0340980 in
25 Exhibit 22, and any part-number information contained in those pages; and

26 (4) the redacted versions of CRP’s Memorandum and the Harwood Declaration shall be
27 filed in the public record.

IT IS SO ORDERED.

Dated: July 21, 2006


The Honorable Elizabeth D. Laporte
United States Magistrate Judge

Proposed Order submitted by Morrison & Foerster LLP, counsel for the JDSU Defendants.